

FCIS HR Policies and Procedures Manual

CONFIDENTIAL

5-55 Anti-Harassment

(Effective Date 01 June 2006)

Policy

FCIS prohibits any acts in its work environments that create the potential for illegal harassment, both in terms of individual employee morale and in violation of applicable federal, state, and local laws. The Company will not tolerate harassment of any employee because of that employee's sex, sexual orientation, gender, race, color, religion, national origin, age or disability.

Scope

This policy applies to all FCIS personnel and facilities and extends to those with whom the Company conducts business, internally or externally, including clients, customers, and vendors.

Guidelines

Definition

It is impossible to provide a precise definition of "harassment" in the legal sense. Whether or not inappropriate behavior constitutes illegal harassment depends upon many factors. Thus, the descriptions below are intended to provide a general outline of the types of behavior that are inappropriate in the workplace. This policy prohibits all inappropriate language and conduct—regardless of whether that behavior would legally constitute "harassment."

Sexual harassment.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature may constitute sexual harassment when

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating a working environment that is intimidating, hostile, or offensive to the individual.

Sexually inappropriate behavior can take many other forms including, but not limited to repeated propositions or requests for dates, leering or ogling, innuendos, flirting, or unwanted physical contact.

Other inappropriate harassment.

Examples of behavior which is not sexually provocative but is inappropriate, and depending upon the circumstances unlawful harassment, include the following:

- Gender-based comments, or other demeaning conduct directed at an employee because of his or her gender.
- Jokes or insults relating to religious beliefs, nationality, age, or disability.
- Racial epithets or derogatory comments based on race, color or national origin.

EXHIBIT 4

**DEPOSITION
EXHIBIT**

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CONFIDENTIAL**Prohibited Conduct**

All employees should avoid any inappropriate action or conduct that might be viewed as harassing behavior. Approval of, participation in, or acquiescence in such conduct will be considered a violation of this policy. Inappropriate behavior and harassment is not tolerated and may result in discipline up to and including discharge.

Complaints

If any employee believes that he or she has been subjected to harassment by anyone, including supervisors, coworkers, vendors, or customers, he or she must immediately report this to management or Human Resources. Any employee who observes conduct that could be perceived as sexual or other harassment should immediately report that conduct to management or Human Resources. Any member of management who receives a report or complaint of sexual or other harassment must immediately report the complaint to Human Resources even if the complaining employee asks that no action be taken. Any manager who fails to take action upon receiving a complaint of harassment may be subject to discipline, up to and including discharge.

Complaints of sexual or other illegal harassment will be treated as internal EEO complaints and follow the internal EEO procedure as outlined in 5-5 Fair and Impartial Review Procedure/EEO Complaint Process, Table 2, Internal EEO Discrimination or Harassment Complaint Procedure. All complaints will be promptly investigated in as confidential a manner as is possible while still conducting a thorough investigation.

Retaliation Prohibited

There will be no retaliation against any employee who reports a claim or incident of sexual or other harassment or against any employee who participates as a witness in a harassment investigation. Any employee who feels that he or she has been subjected to retaliation must immediately make a report to management or Human Resources.

Outside Regulatory Agency Complaints

If a complaint is filed via an outside regulatory agency,



REFER TO 5-15 External EEO Complaint Investigation.

Related Policies

- 2-5 Acceptable Conduct
- 5-5 Fair and Impartial Review Procedure/EEO Complaint Process
- 5-15 External EEO Complaint Investigation
- 10-5 Confidential Information Classification/Protection